

MYSORE DRAMATIC PERFORMANCE BILL, 1963

Motion to Consider.

Sri R. M. PATIL (Minister for Home).—Mr. Speaker, Sir, I beg to move :

“That the Mysore Dramatic Performances Bill, 1962 be taken into consideration.”

(Sri S. Sivappa Fose)

Mr. SPEAKER.—Is it a point of order ?

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಮಾನ್ಯ ಸಭಾಪತಿಗಳು : ರಾಜ್ಯಾಂಗದತ್ತವಾಗಿ ಪ್ರಜೆಗಳಿಗೆ ಬಂದಿರತಕ್ಕ ಸ್ವಾತಂತ್ರ್ಯಕ್ಕೆ ಅಡ್ಡಿರತಕ್ಕ ಮನೋದಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಲು ಸರ್ಕಾರದವರು ಪ್ರಯತ್ನಪಡುತ್ತಿರುವುದರಿಂದ, ಸರ್ಕಾರದವರ ಈ ನೀತಿಯನ್ನು ಬಂಡಿಸಲು ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡುತ್ತೇವೆ.

(The Members of the Opposition withdrew from the House.)

Mr. SPEAKER.—Motion moved :

“ That the Mysore Dramatic Performances Bill, 1963 be taken into consideration.”

Sri R. M. PATIL.—This piece of legislation which is intended to be proposed and considered is clearly relatable to Entry 33 of the State List in the 7th Schedule of the Constitution. Therefore, the State is quite competent to undertake the legislation. In order to have an expedient way for providing the better control of public dramatic performances in the State of Mysore, this piece of legislation has been introduced for consideration by this august House. The Dramatic Performances Act, 1876 (Central Act 19, of 1876) is in force in the Bombay area, Coorg District and Bellary District. The Madras Dramatic Performances Act, 1954 (Madras Act 33 of 1954) is in force in the Madras area. There is no corresponding law on the subject in the Hyderabad area and in the old Mysore area. So far as the Central Act of 1876 is concerned, it has been decided by the High Court of Madras that section 6 of the Central Act is repugnant to the Constitution and as such, the Madras State Legislature passed the Madras Dramatic Performances Act in 1954 itself. Similarly, the Allahabad High Court as far back as 1956 declared that the Central Act was *ultra vires* of the Constitution. The Punjab High Court also held the same view. In pursuance of these decisions, the Government of India was pleased to direct the State Government in 1959 to prepare a draft Bill on the model of the Madras Act and make a uniform law for the State. In pursuance of that direction, this Bill has been prepared. The lacunæ that were found in the Central Act have been rectified in this Bill. What was said to be repugnant in the Central Act was that there was no procedure which is said to be a reasonable one so as to give a reasonable opportunity to the aggrieved person. Therefore, the right of speech and expression, was curtailed. Before it was restricted, what was